

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference W1.2129PCT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2004/050022	International filing date (day/month/year) 16.01.2004	Priority date (day/month/year) 30.01.2003
International Patent Classification (IPC) or national classification and IPC B41F 7/10, 13/00, 7/02		
Applicant KOENIG & BAUER AKTIENGESELLSCHAFT		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>16</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand 26-08-2004	Date of completion of this report 04-05-2005																								
Name and mailing address of the IPEA/ Facsimile No.	Authorized officer Telephone No.																								

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/050022

Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1, 2, 4-65 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* 3, 4, 7-80 _____ as amended (together with any statement) under Article 19
- nos.* 1, 2, 5, 6 _____ received by this Authority on 14.3.05 by fax
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/25-25/25 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/050022

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-80	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-80	NO
Industrial applicability (IA)	Claims	1-80	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

0. Reference is made to the following documents:

D1: EP-A-0 638 419 (WIFAG MASCHF) 15 February 1995 (1995-02-15)

D2: FINKBEINER G: "INVESTITIONSENTSCHEIDUNGEN IM ZEITUNGSDRUCK SOLLTEN SICH IMMER AN DER GEPLANTEN AUSLASTUNG ORIENTIEREN" DEUTSCHER DRUCKER, DEUTSCHER DRUCKER VERLAGSGESELLSCHAFT, OSTFILDERN, DE, vol. 29, no. 36, 30 September 1993 (1993-09-30), pages W35-37, XP000398176 ISSN: 0012-1096

D3: US-A-5 179 899 (BURGER RANIER ET AL.) 19 January 1993 (1993-01-19)

D4: DE 24 06 509 A (MASCHF AUGSBURG NUERNBERG AG) 14 August 1975 (1975-08-14)

D5: EP-A-1 110 722 (ROLAND MAN DRUCKMASCH) 27 June 2001 (2001-06-27)

D6: US 2002/053294 A1 (RICHARDS JOHN SHERIDAN) 9 May 2002 (2002-05-09)

1. INDEPENDENT CLAIM 1

1.1 The present application does not satisfy the requirements of PCT Article 33(1), because the

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

subject matter of claim 1 does not involve an inventive step (PCT Article 33(3)).

- 1.2 D1 is considered to be the prior art closest to the subject matter of claim 1. Said document discloses (the references in parentheses relate to D1):
- a printing machine (page 2, lines 19-20) with at least a first printing tower (1) having two stacked printing units (5) (implicitly corresponding to a nine-cylinder satellite printing unit).
- 1.3 The subject matter of claim 1 therefore differs from this known printing machine in that, in a plane above the print positions of the upper nine-cylinder satellite printing unit, two three-cylinder printing mechanisms are arranged with a cylinder width for the printing of six juxtaposed portrait oriented pages of print in newspaper format.
- 1.4 The problem addressed by the present invention can therefore be considered that of providing a simple, inexpensive design with a small footprint and, at the same time, with a high level of variability in the product and/or intermediate product.
- 1.5 The solution proposed in claim 1 of the present application cannot be regarded as inventive (PCT Article 33(3)) for the following reasons:

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The obvious solution would be to set up an additional printing module, e.g. two three-cylinder printing mechanisms (see D2, figures 6-12) and/or to increase the width of the cylinders of the printing unit to improve variability in the intermediate product.

D1 shows clearly that at least two printing units (page 2, lines 19-20), e.g. three printing units, can be arranged one above the other in a printing tower.

The third stacked printing unit, which is obvious in D1, would be a nine-cylinder satellite printing unit. However, D2 undoubtedly shows that the last upper printing unit could be replaced, for example, by "two three-cylinder printing mechanisms" (see D2, figures 6, 7, 11, 12).

The feature "with a width of six juxtaposed portrait oriented pages of print in newspaper format" is only one of the many obvious possibilities (see e.g. D4) from which a person skilled in the art would choose according to the circumstances in order to solve the problem of interest, without thereby being inventive.

At the same time, independent claim 1 concerns a minor structural modification of the printing machine disclosed in D1 with at least two stacked satellite printing units, of the kind that a person skilled in the art routinely makes on the

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basis of familiar considerations, especially since the resulting advantages (**the more stacked printing mechanisms the printing machine has, or the wider the cylinders, the greater the variability achievable in the intermediate product**) are readily foreseeable. The subject matter of claim 1 does not therefore involve an inventive step.

2. INDEPENDENT CLAIMS 3, 19, 28, 58, 62

2.1 The same arguments apply *mutatis mutandis* to independent claims 28, 58 and 62.

2.2 In the light of D1 and D2, a person skilled in the art would consider it standard procedure to use a printing machine with stacked printing units and two three-cylinder printing mechanisms or one six-cylinder printing unit for a **printing method** (see claim 28) for the four webs so that, after printing, the two webs printed multi-colour on one side and single-colour on the other side come to lie between the two webs that have been printed multi-colour on both sides.

2.3 In the light of D1 and D2, a person skilled in the art would consider it standard procedure to combine the printing towers (figures 6-9) with each other to produce the claimed **printed product** (see claim 58).

2.4 A plurality of (different) stacked printing units,

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a different number of webs and a plurality of (different) parameters, e.g. number of cylinders per printing unit or web path, are known from the prior art. No inventive skill can be deemed involved in a selection among a number of possibilities if the choice is of the kind that a person skilled in the art routinely makes on the basis of familiar considerations or by routine trial and error (cf. Guidelines for Examination in the European Patent Office, Part C, Chapter IV Annex, paragraph 3.1(ii)).

3. DEPENDENT CLAIMS:

- 3.1 In the light of the disclosure in documents D1 and D2 in combination, dependent claims 4-18, 20-27, 29-57, 59-61 and 63-79 do not contain any additional features which, in combination with the features of any claim to which they refer back, satisfy the PCT requirements for novelty and inventive step.
